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# Colorado Department of Public Health and Environment

## Notification of Regulated Waste Activity Instructions

### Using the Colorado Hazardous Waste Notification Form

This form and instructions replaces the Notification of Regulated Waste Activity booklet [EPA Form 8700- 12] and EPA Forms 8700-13 A/B and page 1 of 8700-23 for reporting regulated waste activity and to receive an EPA identification number in Colorado. **Please be sure to review the instructions carefully and complete all items on the form.**

## **Colorado Hazardous Waste Notification Form Instructions**

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## **Mailing and Contact Information for the Notification Form**

Please send the completed originally signed Colorado Hazardous Waste Notification Form, and ~~\$120~~ \$84\* notification fee, if applicable, to:

Notification Coordinator  
Colorado Department of Public Health and Environment  
Hazardous Materials and Waste Management Division  
4300 Cherry Creek Drive South  
Denver, CO 80246-1530

Please contact the Notification Coordinator or Customer Technical Assistance line at (303) 692-3300 if you have any questions regarding this form. (\*Temporary fee reduction for 2013, see 6 CCR 1007-3 section 100.33 for current fees)

## Why has the Form Been Revised?

In the past, basic site information about the name and location of Resource Conservation and Recovery Act (RCRA) regulated sites has been collected on three different forms, each with its own instructions, definitions and purpose. Basic site information was collected from RCRA-regulated facilities through the **Notification of Regulated Waste Activity** [EPA Form 8700-12]. RCRA-regulated treatment, storage and disposal (TSD) facilities seeking a hazardous waste permit or permit renewal submitted site information on the **RCRA Hazardous Waste Part A Permit Application** [EPA Form 8700-23]. Finally, large quantity generators and treatment, storage and disposal facilities reported site information for the biennial **Hazardous Waste Report** [EPA Form 8700-13A/B]. These different forms sometimes gave regulators conflicting information about the same site and the duplication of effort was burdensome for respondents. The new Colorado Hazardous Waste Notification Form (Notification Form) in this packet standardizes the RCRA site information that was previously collected on these three forms.

## Who Needs to Obtain an EPA Identification Number?

Any person who generates hazardous waste in excess of 100 kilograms per calendar month, stores greater than 1000 kilograms of hazardous waste onsite at one time, transports hazardous waste, owns or operates a facility for the treatment, storage or disposal of hazardous wastes, handles used oil, manages large quantities of universal waste, burns hazardous waste, recycles hazardous waste and/or if there is an underground injection well located at their facility must notify the Division of their hazardous waste management activities.

**NEW** - As of July 2, 2006, Conditionally Exempt Small Quantity Generators that generate waste codes F001, F002, F004 and/or F005 (halogenated and non-halogenated solvents) are required to notify the Division under Part 99 of the Colorado Hazardous Waste Regulations (6 CCR 1007-3) and obtain an EPA identification number. This is more stringent than the federal notification requirements, which do not require conditionally exempt small quantity generators to notify. Effective November 30, 2006, Conditionally Exempt Small Quantity Generators that generate less than three (3) gallons per calendar year of these wastes are exempt from this notification requirement.

An EPA identification number is assigned for each plant site or facility. If the person has more than one facility that manages hazardous waste, a Colorado Notification Form must be filled out for each facility and a unique number will be assigned to each site.

## How Does a Facility Obtain an EPA ID Number?

A facility may obtain an EPA identification number by requesting a copy of the Colorado Notification of Regulated Waste Activity packet from the Division. This packet contains a copy of the Colorado Hazardous Waste Notification Form and instructions for filling it out. The Notification Form and instructions are also on the Internet at <http://www.cdphe.state.co.us/hm/notification.htm>. The completed form with original signature(s) should be returned to the Division. The facility contact will be notified of the number issued to them as soon as practicable. The Colorado Notification Form must also be completed for “one time” generator EPA ID numbers. Please note “One-Time Generation” in the comments section of the Notification Form.

## Are There any Fees Associated with Notification?

As of July 2, 2006, Small and Large Quantity Generators submitting a new notification under Part 99 of the hazardous waste regulations (6 CCR 1007-3) must submit a ~~\$120~~ \$84\* notification fee with their

Colorado Notification form. Conditionally Exempt Small Quantity Generators that are required to notify because they generate F001, F002, F004 and/or F005 are not required to pay the notification fee. (\*Temporary fee reduction for 2013, see 6 CCR 1007-3 section 100.33 for current fees)

Generators submitting a subsequent notification that downgrades their hazardous waste notification status (for example, from a Large Quantity Generator to a Small Quantity Generator) must also submit the notification fee with their updated form. Subsequent notifications that are providing or updating other information (for example, contact name change) will not be assessed any fee unless they are also downgrading their notification status. Generators submitting a subsequent notification that upgrades their notification status will not be assessed a notification fee.

When applicable, the notification fee **MUST** accompany the completed and signed notification form. The Department will not process the notification without the notification fee.

### **Is it Possible for a Generator to Change Categories?**

Yes, a generator can change categories as often as necessary. Because the category is related to their cumulative amount of hazardous waste produced on a monthly basis and/or the amount of waste stored on site, this amount may vary from month to month. The state must be notified in writing of the change in generator category. A revised Notification Form and \$120 notification fee, if applicable, should be sent to the Division notifying of any changes in generator category at least annually. The facility's EPA identification number will not change.

### **What if the Facility Ownership Changes?**

The EPA identification number is assigned to the facility and stays with the site. If the facility changes ownership, a revised Notification Form should be submitted to notify the Division of the change in ownership. The facility's EPA identification number will not change.

### **What Must be Done if the Facility no Longer Manages Hazardous Waste?**

If a facility no longer manages hazardous waste, the state should be notified in writing. A letter including the site name and address, EPA identification number, ownership information, and a brief explanation should be submitted to the Division. Alternatively, the Notification Revisions Form included with the annual Hazardous Waste Commission/generator fee bills can be used to notify that the facility no longer manages hazardous waste. The notification fee must accompany this type of notification since the facility is downgrading their notification status.

If a hazardous waste release has occurred on the property, the facility should retain the EPA identification number for waste disposal until all remediation is completed.

### **What If the Business Moves to Another Location?**

The facility contact must notify the Division of the new location and submit a completed Notification Form for the new location. The new business site will receive a unique EPA identification number. The notification fee must accompany the notification for the new facility. The facility contact must also notify the Division in writing if the old facility no longer manages hazardous waste or if there was a change in ownership for the old facility. If the notification status of the old facility is downgraded, a fee must accompany this notification.

## How to Fill Out This Form

The form must be submitted to the Department with an original signature; faxed or photocopied signatures are not acceptable. The notification fee, if applicable, must accompany the completed form. For subsequent notifications, enter your site's EPA ID number in the top right-hand corner of the second page of the form. Use the space for Comments in Item 12 to clarify or provide additional information for any entry. When entering information in the Comments section, cross-reference the item number and box letter to which the comment refers. If you must use additional sheets, enter your site's EPA ID number in the top right-hand corner of each sheet and indicate clearly the number of the item on the Notification Form for the additional information on the separate sheets. Once you have submitted an initial Notification Form for your site, you can update your notification by submitting the Colorado Notification Form with subsequent notification marked in Item 1, Items 2 through 6 filled in with existing or updated information, and Item 10 replaced with ALL current Hazardous Waste Activities.

## Item-By-Item Instructions

All referenced guidance documents may be obtained by clicking on the RCRA Policy and Guidance link from <http://www.cdphe.state.co.us/HM/hmpubs.htm>.

### Item 1 -- Reason for Submittal:

Place an "X" in the appropriate box to indicate whether this form is your Initial Notification (to obtain an EPA Identification Number); a Subsequent Notification (to update your notification information); a component of a new or a revised Hazardous Waste Part A Permit Application; or a component of the biennial Hazardous Waste Report.

- **For Initial Notification of Regulated Waste Activity to provide site identification information and obtain an EPA Identification Number for hazardous waste, universal waste, or used oil activities.** If your waste activity is regulated by the Colorado Hazardous Waste Act and the regulations adopted under the authority granted in the Act (specifically 6 CCR 1007-3 Parts 260–268 and Part 100), you must submit this form to notify the Colorado Department of Public Health and Environment of your regulated waste activities and obtain an EPA Identification Number. Submission of this form satisfies the requirement to notify the US EPA of your regulated waste activities. The Colorado Notification Form must also be completed for “one time” generator EPA ID numbers. Please note “One-Time Generation” in the comments section of the Notification Form.
- **For Subsequent Notification of Regulated Waste Activity to update site identification information.** You must use this form to submit a subsequent notification if your site already has an EPA Identification Number and you wish to change or update information (e.g., generator status, new owner, new mailing address, etc.). At a minimum, Items 2-4, 6, Sections A, B, and C of Item 10, and Item 13 must be completed or the Notification Form will be returned. Items 5, 7-9 and 11 should be updated if the information has changed since your last notification.
- **As a component of an initial Hazardous Waste Part A Permit Application.** If your site is planning to treat, store, or dispose of hazardous waste on site in a unit that is not exempt from obtaining a hazardous waste permit, you must submit this form as part of the Part A Permit Application. Also, if the activity at this site (treatment, storage, or disposal) became newly regulated under the Colorado Hazardous Waste Act and the regulations adopted under the authority granted in the Act (specifically 6 CCR 1007-3 Parts 260-268 and Part 100), you must

submit this form as part of the Part A Permit Application. Pages 2-6 of EPA Form 8700-23 must also be submitted.

- **As a component of a Revised Hazardous Waste Part A Permit Application.** If you must submit a revised Part A Permit Application to reflect changes that have occurred at your site, you must submit this form as part of your revised Part A Permit Application. Examples of site changes requiring a revised Part A Permit Application include managing new wastes not identified in the initial notification form or changes to existing waste treatment processes. When submitting a revised Part A Permit Application, please include the Amendment number in the appropriate space. Revisions to pages 2-6 of EPA Form 8700-23 should also be submitted. At a minimum, Items 2-4, 6, Sections A, B, and C of Item 10, and Item 13 must be completed or the Notification Form will be returned.
- **As a component of a biennial Hazardous Waste Report.** If you are required to submit a Hazardous Waste Report indicating the amount of hazardous waste you generate, treat, ship off site, or receive from off site, you must complete this form. This information will be treated as a subsequent notification. If you do not want this information to be a subsequent notification, please state the reason in Item 12 Comments.

## **Item 2 -- Site EPA ID Number:**

EPA ID Numbers are location specific. Provide your EPA Identification Number for this site in Item 2. Also, be sure to include your EPA Identification Number at the top of page 2 of the form (as well as on any attachments to the Notification Form).

**NOTE: If this is your initial notification for this site, leave the EPA Identification Number blank and proceed to Item 3.**

## **Items 3 and 4 -- Site Name/Operator and Location:**

Provide the **legal** name of your site and a complete location address. Please note that the address you give for Item 4, Site Location, must be a physical address, **not a post office box or route number.**

**NOTE:** A new EPA Identification Number is required if you change the location of your site.

**NOTE:** If the site's operator(s) is different than the site legal name, please note the site's operator name and address in Comments (Item 12).

## **Item 5 -- Site Land Type:**

Place an "X" in the box that **best describes** the land type of your site. Select only one type: Private, County, District, Federal, Indian, Municipal, State, or Other. If your site's Land Type could be described as Municipal **and** as County, District, or Indian, do not mark Municipal. Instead choose the other appropriate land type.

## **Item 6 -- North American Industry Classification System (NAICS) Code(s):**

Box A must be completed. Complete Boxes B-C if applicable. Use the six (6) digit codes (most specific description) if available for your business; if not, use the five (5) digit code; do not enter any four (4) or less digit codes. You can obtain NAICS codes from the following sources:

- NAICS web sites at <http://www.census.gov/epcd/naics02/>
- Contact the Notification Coordinator for a list of NAICS codes, if no Internet capability exists.

**Box A:** Provide the North American Industry Classification System (NAICS) code that **best describes** your site's primary business production process for your products or services.

**Boxes B – C:** List other NAICS codes that describe the primary business production processes for your site.

### Item 7 -- Site Mailing Address:

Please enter the Site Mailing Address. If the mailing address is the same as the site location, you may place a check mark in the space before "Location."

### Item 8 -- Site Contact Person:

Enter the name, job title, address, business telephone number, and extension of the person who should be contacted regarding the information submitted in the Notification Form. If the contact person's address is the same as the site location or mailing address, you may place a check mark in the appropriate space before "Location" or "Mailing." A subsequent notification is strongly recommended when the Site Contact Person changes.

### Item 9 -- Legal Owner(s) of the Site:

Provide the name of your site's legal owner(s). If an additional owner(s) has been added or replaced, please provide information on the new owner(s) and which owner(s), if any, they replaced. Item 12 - Comments and additional sheets can be used if necessary. Please put your site's EPA ID number in the upper right corner of all attached sheets. For the meaning of owner and operator, see the Definitions section.

**Owner Type:** Place an "X" in the box that **best describes** the owner type of your site. Select only one type: Private, County, District, Federal, Indian, Municipal, State, or Other. If your site's Owner Type could be described as Municipal **and** as County, District, or Indian, do not mark Municipal. Instead choose the other appropriate owner type.

**NOTE:** A subsequent notification is required when the owner or operator of a site changes. Because an EPA Identification Number is site-specific, the new owner will keep the existing EPA Identification Number for that location. If your business moves to another location, the owner or operator must notify the Department of this change. In this instance, a new EPA Identification Number will be assigned, since the business has changed locations.

### Item 10 -- Type of Regulated Waste Activity

Place an 'X' in the appropriate boxes for all activities that apply to your site. Sections A, B, and C of this Item must be completed for all activities whenever the Site Form is submitted. The [Guide to Generator Requirements of the Colorado Hazardous Waste Regulations](#) is a quick resource for generator, universal waste, and used oil requirements.

## A. Hazardous Waste Activities:

**1. Generator of Hazardous Waste:** If you generate a hazardous waste that is listed in 6 CCR 1007-3 section 261.31 through 261.33 or identified by one or more hazardous waste characteristics contained in 6 CCR 1007-3, section 261.21 through 261.24, place an "X" in the appropriate box for the total quantity of non-acutely hazardous waste that is generated per calendar month. The regulations for hazardous waste generators are found at 6 CCR 1007-3 Part 262. Consult these regulations or the Department for details regarding how the regulations apply to your situation. Below is a brief description of the three categories of hazardous waste generators.

### a. LQG: Large Quantity Generator

The site is a Large Quantity Generator if the site meets **any** of the following criteria:

- i) generates 1,000 kg (2,200 lbs.) or more of RCRA hazardous waste in any calendar month, **or**
- ii) generates in any calendar month or accumulates at any one time more than 1 kg (about 2.2 lbs.) of RCRA acutely hazardous waste, **or**
- iii) generates in any calendar month or accumulates at any one time more than 100 kg (about 220 lbs.) of spill cleanup material contaminated with RCRA acutely hazardous waste.

**NOTE:** If, in addition to being a large quantity generator, you recycle hazardous wastes at your site (without storing the wastes before you recycle them), mark both this box **and** Box A.5 below.

### b. SQG: Small Quantity Generator

The site is a Small Quantity Generator if the site meets **all** of the following criteria:

- i) generates more than 100 kg (220 lbs.) but less than 1,000 kg (2,200 lbs.) of RCRA hazardous waste in any calendar month, **and**
- ii) generates in any calendar month or accumulates at any one time no more than 1 kg (2.2 lbs.) of acute hazardous waste **and** no more than 100 kg (220 lbs.) of spill cleanup material contaminated with RCRA acutely hazardous waste.

**OR**

- i) meets all other criteria for a Conditionally Exempt Small Quantity Generator (see below), **but**
- ii) accumulates more than 1,000 kg (2,200 lbs.) of RCRA hazardous waste at any one time.

### c. CESQG: Conditionally Exempt Small Quantity Generator

The site is a Conditionally Exempt Small Quantity Generator if the site meets **all** of the following criteria:

- i) generates no more than 100 kg (220 lbs.) of RCRA hazardous waste in any calendar month, **and**
- ii) accumulates no more than 1,000 kg (2,200 lbs.) of RCRA hazardous waste at any one time, **and**
- iii) generates in any calendar month or accumulates at any one time no more than 1 kg (2.2 lbs.) of acutely hazardous waste **and** no more than 100 kg (220 lbs.) of spill cleanup material contaminated with RCRA acutely hazardous waste.

**NOTE:** If you generate acutely hazardous wastes listed in 40 CFR 261.31, 261.32 or 261.33(e), please refer to 6 CCR 1007-3 Section 261.5(e) to determine the circumstances under which you must notify the Department.

**NOTE:** In addition to the above, place an "X" in the following box(es) to indicate other generator activities occurring **at this site**. (Mark all boxes that apply.)

**d. United States Importer of Hazardous Waste**

Place an "X" in the box if you import hazardous waste from a foreign country into the United States. Refer to 6 CCR 1007-3, Section 262.60 for additional information.

**e. Mixed Waste Generator**

Place an "X" in the box if you are a generator of mixed waste. RCRA defines "mixed waste" as waste that contains both hazardous waste and source, special nuclear, or by-product radioactive material subject to the Atomic Energy Act (AEA), RCRA section 1004(41), 42 U.S.C. 6903 (63 FR 17414; April 9, 1998).

**2. Transporter of Hazardous Waste**

Place an "X" in the box if you transport hazardous waste within the United States. Hazardous waste transporters do not have to complete Item 11 of the Notification Form. Regulations for hazardous waste transporters are found in 6 CCR 1007-3 Part 263.

**3. Hazardous Waste Transfer Facility:**

Place an "X" in the box if this site is also a Transfer Facility. A Transfer Facility is any transportation related facility including loading docks, parking areas, storage areas and other similar areas where shipments of hazardous waste are held during the normal course of transportation.

**NOTE:** Identify other transfer facilities in Item 12 - Comments or attach additional sheets if necessary. Identify the transfer facility name, location and mailing address, current contact information, and general description of activity for each transfer facility location in the Comments section of this form. Attach another sheet if necessary. Please put your site's EPA ID number (if you have one) in the upper right corner of all attached sheets.

**4. Treater, Storer, or Disposer of Hazardous Waste:**

If you treat, store, or dispose of regulated hazardous waste at this site, place an "X" in this box. (Burning hazardous wastes in boilers and industrial furnaces and storing hazardous wastes before recycling them fall into this category as well.) A hazardous waste permit is required for this activity. Contact the Department to request a RCRA Hazardous Waste Part A Permit Application. The state regulations for owners or operators of hazardous waste treatment, storage or disposal sites are found in 6 CCR 1007-3 Parts 264, 265, 266, and 100.

**NOTE:** If your site is a destination facility for universal wastes in addition to being a treatment, storage, or disposal facility for other RCRA hazardous wastes, mark both this box **and** Box B.2 below.

**5. Recycler of Hazardous Waste:**

If you recycle regulated hazardous wastes (recyclable materials) at this site, place an "X" in this box. The State regulations for owners or operators of sites that recycle hazardous waste are found at 6 CCR 1007-3, section 261.6. A hazardous waste permit may be required for this activity if

recyclable materials are stored prior to recycling. You also may be subject to other Federal and State regulations.

**NOTE:** If your site, in addition to being a recycling site for hazardous waste, is a treater, storer, or disposer of hazardous waste, mark both this box **and** Box A.3 above. If your site is a destination facility for universal wastes in addition to being a recycling site for other RCRA hazardous wastes, mark both this box **and** Box B.2 below.

**6. Exempt Boiler and/or Industrial Furnace:**

- a. If you burn small quantities of hazardous waste in an on-site boiler or industrial furnace in accordance with the conditions in 40 CFR 266.108, place an "X" in the box to indicate that you qualify for the Small Quantity On-Site Burner Exemption.
- b. If you process hazardous wastes in a smelting, melting, or refining furnace solely for metals recovery, as described in 40 CFR 266.100(d), or to recover economically significant amounts of precious metals, as described in 40 CFR 266.100(g), or if you process hazardous wastes in a lead recovery furnace to recover lead, as described in 40 CFR 266.100(h), place an "X" in the box to indicate that you qualify for the Smelting, Melting, and Refining Furnace Exemption.

**7. Underground Injection Control:**

If you generate, treat, store, or dispose of hazardous waste and there is an underground injection well located at your site, place an "X" in the box. The Federal regulations for owners or operators of underground injection wells are found in 40 CFR Part 148.

**B. Universal Waste Activities:**

The requirements applicable to handlers of Universal Waste are found at 6 CCR 1007-3 Section 261.9 and Part 273. Waste codes in Item 11 are not needed for universal wastes.

**1. Large Quantity Handler of Universal Waste (LQHUW):**

You are a Large Quantity Handler of Universal Waste if you accumulate a total of 5,000 kg or more of any universal wastes (calculated collectively) at any one time. Place an "X" in the appropriate box(es) to indicate the type(s) of universal wastes you manage at your site.

**2. Destination Facility:**

Place an "X" in the box if you treat, dispose of, or recycle universal wastes on site. A hazardous waste permit is required if you treat or dispose of universal wastes; a permit may be required if you recycle universal wastes.

**NOTE:** If your site, in addition to being a destination facility for universal wastes, is also a treatment, storage, or disposal facility for hazardous wastes, mark both this box **and** Box A.4 above. In addition, if your site recycles hazardous wastes, mark both this box **and** Box A.5 above.

**C. Used Oil Activities:**

Mark the appropriate box(es) to indicate which used oil management activities are taking place at this site. The regulations for used oil management are found at 6 CCR 1007-3, Part 279. Used oil generators do not have to notify of their used oil management activities unless they also conduct other used oil activities.

**1. Used Oil Transporter:**

If you transport used oil and/or own or operate a used oil transfer facility, place an "X" in the appropriate box(es) to indicate this used oil management activity. For each transfer facility located in Colorado, please note in comments or a separate sheet of paper the location of all transfer facilities at which used oil is stored and the name and telephone number for a contact at each transfer facility.

**2. Used Oil Processor/Re-Refiner:**

If you process and/or re-refine used oil, place an "X" in the appropriate box(es) to indicate this used oil management activity.

**3. Off-Specification Used Oil Burner:**

If you burn off-specification used oil fuel, place an "X" in the box to indicate this used oil management activity.

**4. Used Oil Fuel Marketer:**

If you market off-specification used oil directly to a burner, place an "X" in Box 4.a. If you are the first to claim the used oil meets the used oil specification established at 6 CCR 1007-3 Section 279.11, place an "X" in Box 4.b. If either of these boxes is marked, you also must notify (or have previously notified) as a used oil transporter, used oil processor/re-refiner, off-specification used oil fuel burner, or a used oil generator. (Used oil generators are not required to notify unless they also conduct other used oil management activities.)

**Item 11 -- Description of Hazardous Wastes:**

You will need to refer to 6 CCR 1007-3 Part 261 to complete this item. Part 261 identifies those solid wastes that are defined as hazardous and regulated under RCRA. Examples of hazardous wastes commonly generated by small quantity generators are included in Appendix 1 of these instructions. Appendix 2 lists EPA hazardous waste codes for each hazardous waste stream identified in Appendix 1. Waste codes are not needed for universal wastes. If you need help completing this section, please contact the Customer Technical Assistance desk at (303) 692-3320.

**Regulated Hazardous Wastes:** If you handle hazardous wastes that are described in 6 CCR 1007-3 Part 261 Subparts C or D, enter the appropriate 4-digit code(s) in the box(es) provided. If any of these are toxicity characteristic wastes, please list the specific hazardous waste code(s) for the specific contaminant(s) in the box(es) provided. Be sure to include state-specific K- and/or P-listed waste codes, if applicable. The [Hazardous Waste Identification Guidance Document](#) includes tables of specific waste codes in appendices A, B, C, D and F.

**NOTE:** If you handle more hazardous wastes than will fit under Item 11, continue listing the hazardous waste codes on additional sheets and attach to the Notification Form. Please put your site's EPA ID number, if you have one, in the upper right corner of all attachments.

**NOTE:** Hazardous waste transporters requesting an EPA Identification Number do not need to complete Item 11, but must sign the Certification in Item 13.

**Item 12 -- Comments:**

Use this section as needed to provide additional information for Items 1 through 11. You may attach additional sheets if necessary. Please put your site's EPA ID number, if you have one, in the upper right corner of all attachments.

**Item 13 -- Certification:**

This certification must be signed by owner(s), operator(s), or authorized representative(s) of the site. An "authorized representative" is a person responsible for the overall operation of the site (i.e., a plant manager or superintendent, or a person of equal responsibility).

**NOTE:** All Notification Form submissions must include this certification to be complete.

## Definitions

The following definitions are included to help you to understand and complete the Colorado Hazardous Waste Notification Form:

**Act or RCRA** means the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act of 1976, as amended by the Hazardous and Solid Waste Amendments of 1984, 42 U.S.C. Section 6901 *et seq.*

**Authorized Representative** means the person responsible for the overall operation of the RCRA site or an operational unit (i.e., part of an RCRA site); e.g., superintendent, plant manager, or person of equivalent responsibility.

**Boiler** means an enclosed device using controlled flame combustion and having the following characteristics:

1. The unit has physical provisions for recovering and exporting energy in the form of steam, heated fluids, or heated gases;
2. The unit's combustion chamber and primary energy recovery section(s) are of integral design (i.e., they are physically formed into one manufactured or assembled unit);
3. The unit continuously maintains an energy recovery efficiency of at least 60 percent, calculated in terms of the recovered energy compared with the thermal value of the fuel;
4. The unit exports and utilizes at least 75 percent of the recovered energy, calculated on an annual basis (excluding recovered heat used internally in the same unit, for example, to preheat fuel or combustion air or drive fans or feedwater pumps); or
5. The unit is one which the Department has determined, on a case-by-case basis, to be a boiler, after considering the standards at 6 CCR 1007-3 Section 260.32.

**Disposal** means the discharge, deposit, injection, dumping, spilling, leaking, or placing of any solid waste or hazardous waste into or on any land or water so that such solid waste or hazardous waste or any constituent thereof may enter the environment or be emitted into the air or discharged into any waters, including ground waters.

**EPA Identification (ID) Number** means the number assigned by EPA to each hazardous waste generator, hazardous waste transporter, and treatment, storage, or disposal site; large quantity handler of universal wastes; used oil transporter, used oil processor/re-refiner, off-specification used oil fuel burner, and used oil fuel marketer.

**Hazardous Waste** means a hazardous waste as defined at 6 CCR 1007-3 Section 261.3.

**Hazardous Waste Generator** means any person, by site, whose act or process produces hazardous waste identified or listed at 6 CCR 1007-3 Part 261.

**Hazardous Waste Storage** means the holding of hazardous waste for a temporary period, at the end of which the hazardous waste is treated, disposed of, or stored elsewhere.

**Hazardous Waste Transporter** means a person engaged in the off-site transportation of hazardous waste by air, rail, highway, or water.

**Hazardous Waste Treatment** means any method, technique, or process, including neutralization, designed to change the physical, chemical, or biological character or composition of any hazardous waste so as to neutralize such hazardous waste, or so as to recover energy or material resources from the hazardous waste, or so as to render such hazardous waste nonhazardous, or less hazardous; safer to transport, store or dispose of; or amenable for recovery, amenable for storage, or reduced in volume. Such term includes any activity or processing designed to change the physical form or composition of hazardous waste so as to render it nonhazardous.

**Industrial Furnace** means any of the following enclosed devices that are integral components of manufacturing processes and that use thermal treatment to accomplish recovery of materials or energy: cement kilns; lime kilns; aggregate kilns; phosphate kilns; coke ovens; blast furnaces; smelting, melting and refining furnaces; titanium dioxide chloride process oxidation reactors; methane reforming furnaces; pulping liquor recovery furnaces; combustion devices used in the recovery of sulfur values from spent sulfuric acid; halogen acid furnaces, as defined under industrial furnace at 6 CCR 1007-3 Section 260.10; and such other devices as the Department may add to this list.

**Large Quantity Handler of Universal Waste** means a universal waste handler (as defined at 6 CCR 1007-3 Section 273.9) who accumulates 5,000 kilograms or more total of universal waste (batteries, pesticides, small mercury-containing devices, mercury-containing lamps, aerosol cans or electronics, collectively) at any time. This designation is retained through the end of the calendar year in which 5,000 kilograms or more of universal wastes are accumulated.

**Municipality** means a city, village, town, borough, county, parish, district, association, Indian tribe or authorized Indian tribal organization, designated and approved management agency under Section 208 of the Clean Water Act, or any other public body created by or under State law and having jurisdiction over disposal of sewage, industrial wastes, or other wastes.

**Off-Specification Used Oil Burner** means a site where used oil not meeting the specification requirements in 6 CCR 1007-3 Section 279.11 (off-specification used oil) is burned for energy recovery in devices identified in Section 279.61(a).

**Off-Specification Used Oil Fuel** means used oil fuel that does not meet the specification provided under 6 CCR 1007-3 Section 279.11.

**On-Specification Used Oil Fuel** means used oil fuel that meets the specification provided under 6 CCR 1007-3 Section 279.11.

**Operator** means the person responsible for the overall operation of a RCRA site. See **Person**.

**Owner** means a person who owns a RCRA site or part of a site, including the property owner. See **Person**.

**Person** means an individual, trust, firm, joint stock company, Federal Agency, corporation (including a government corporation), partnership, association, State, municipality, commission, political subdivision of a State, or any interstate body.

**Site** means the physical plant or location at which one or more of the following regulated waste activities occurs: the generation, transportation, treatment, storage, or disposal of hazardous wastes; recycling of hazardous wastes; the accumulation of 5,000 kg or more of universal wastes; and the transportation (and temporary storage during transportation), processing/re-refining, burning, or

marketing of used oil. A site may consist of several treatment, storage, or disposal operational units. A site also may consist of an area undergoing corrective action. (For entities that only transport regulated wastes, the term site refers to the headquarters of that entity's operations.)

**Small Quantity On-Site Burner Exemption** means those persons who burn small quantities of hazardous waste in an on-site boiler or industrial furnace, in accordance with 40 CFR 266.108, are conditionally exempt from regulation for that activity.

**Smelting, Melting, and Refining Furnace Exemption** means that owners or operators of smelting, melting, and refining furnaces that process hazardous waste solely for metals recovery are conditionally exempt from regulation, except for 40 CFR 266.101 and 266.112, provided they comply with the requirements in Section 266.100(d); owners or operators of smelting, melting and refining furnaces that process hazardous waste for recovery of precious metals are conditionally exempt from regulation, except for 40 CFR 266.112, provided they comply with the requirements in Section 266.100(g); and owners or operators of lead recovery furnaces that process hazardous waste for recovery of lead and that are subject to regulation under the Secondary Lead Smelting NESHAP are conditionally exempt from regulation, except for 40 CFR 266.101, provided they comply with the requirements in Section 266.100(h).

**Transfer Facility** means any transportation related facility including loading docks, parking areas, storage areas and other similar areas where shipments of hazardous waste are held during the normal course of transportation.

**Underground Injection Control** means the subsurface emplacement of fluids through a bored, drilled or driven well; or through a dug well, where the depth of the dug well is greater than the largest surface dimension. Underground injection wells are regulated under both the Safe Drinking Water Act and the Resource Conservation and Recovery Act (see 40 CFR Part 148).

**Used Oil** means any oil that has been refined from crude oil, or any synthetic oil, that has been used, and as a result of such use, is contaminated by physical or chemical impurities.

**Used Oil Fuel Marketer** means any person who conducts either of the following activities:

1. Directs a shipment of off-specification used oil from their site to an off-specification used oil burner; or
2. First claims that used oil that is to be burned for energy recovery meets the used oil fuel specifications set forth in 6 CCR 1007-3 Section 279.11.

**Used Oil Management Activities**, for the purposes of the Hazardous Waste Notification Form, include used oil transportation; used oil processing and re-refining; burning off-specification used oil fuel; and used oil fuel marketing.

**Used Oil Processing** means chemical or physical operations designed to produce from used oil, or to make used oil more amenable for production of, fuel oils, lubricants, or other used oil-derived products. Processing includes, but is not limited to: blending used oil with virgin petroleum products, blending used oils to meet the fuel specification, filtration, simple distillation, chemical or physical separation, and re-refining.

**Used Oil Processor** means a site that processes on- or off-specification used oil.

**Used Oil Re-Refiner** means a site that produces lubricating oils and greases, industrial fuel, asphalt extender, gasoline, and other products from on- or off-specification used oil.

**Used Oil Transfer Facility** means any transportation-related facility, including loading docks, parking areas, storage areas, and other areas where shipments of used oil are held for more than 24 hours during the normal course of transportation and not longer than 35 days. Transfer facilities that store used oil for more than 35 days are subject to regulation at 6 CCR 1007-3 Part 279 Subpart F.

**Used Oil Transporter** means any person who transports used oil, any person who collects used oil from more than one generator and transports the collected oil, and owners and operators of used oil transfer facilities. Used oil transporters may consolidate or aggregate loads of used oil for purposes of transportation but, with the following exception, may not process used oil. Used oil transporters may conduct incidental processing operations that occur in the normal course of used oil transportation (e.g., settling and water separation), but that are not designed to produce (or make more amenable for production of) used oil-derived products or used oil fuel.

## Appendix 1

### Typical Hazardous Waste Streams Produced by Small Quantity Generators

#### LABORATORIES

Acids/Bases, Heavy Metals/Inorganics,  
Ignitable Wastes, Reactives, Solvents

#### PRINTING AND ALLIED INDUSTRIES

Acids/Bases, Heavy Metals/Inorganics,  
Ink Sludges, Spent Plating Wastes, Solvents

#### PESTICIDE END USERS AND APPLICATION

Heavy Metals/Inorganics, Services, Pesticides,  
Solvents

#### CONSTRUCTION

Acids/Bases, Ignitable Wastes, Solvents

#### EQUIPMENT REPAIR

Acids/Bases, Ignitable Wastes,  
Lead Acid Batteries, Solvents

#### FURNITURE/WOOD MANUFACTURING & REFINISHING

Ignitable Wastes, Solvents

#### OTHER MANUFACTURING (textiles, plastics, leather)

Heavy Metals/Inorganics, Solvents

#### LAUNDRIES AND DRY CLEANERS

Dry Cleaning Filtration Residues,  
Solvents

#### EDUCATIONAL AND VOCATIONAL SHOPS

Acids/Bases, Ignitable Wastes, Pesticides,  
Reactives, Solvents

#### BUILDING CLEANING AND MAINTENANCE

Acids/Bases, Solvents

#### VEHICLE MAINTENANCE

Acids/Bases, Heavy Metals/Inorganics,  
Ignitable Wastes, Lead Acid Batteries,  
Solvents

#### WOOD PRESERVING

Preserving Agents

#### MOTOR FREIGHT TERMINALS AND RAILROAD

Acids/Bases, Transportation, Heavy  
Metals/Inorganics, Ignitable Wastes,  
Lead Acid Batteries, Solvents

#### FUNERAL SERVICES

Solvents (formaldehyde)

#### METAL MANUFACTURING

Acids/Bases, Cyanide Wastes, Heavy  
Metals/Inorganics, Ignitable Wastes,  
Reactives, Solvents, Spent Plating Wastes

#### CHEMICAL MANUFACTURERS

Acids/Bases, Cyanide Wastes, Heavy  
Metals/Inorganics, Ignitable Wastes,  
Reactives, Solvents

#### CLEANING AGENTS AND COSMETICS

Acids/Bases, Heavy Metals/Inorganics,  
Ignitable Wastes, Pesticides, Solvents

#### FORMULATORS

Acids/Bases, Cyanide Wastes, Heavy  
Metals/Inorganics, Ignitable Wastes,  
Pesticides, Reactives, Solvents

## Appendix 2

### Typical Hazardous Waste Streams and EPA Hazardous Waste Numbers

#### ACIDS/BASES:

Acids, bases or mixtures having a pH less than or equal to 2 or greater than or equal to 12.5, or liquids that corrode steel at a rate greater than 0.25 inches per year, are considered to be corrosive (for a complete description of corrosive wastes, see 6 CCR 1007-3 Section 261.22, Characteristic of Corrosivity). All corrosive materials and solutions have the EPA Hazardous Waste Number D002. The following are some examples of the more commonly used corrosives:

Examples of Corrosive Waste Streams		
Acetic Acid	Hydrofluoric Acid	Potassium Hydroxide
Ammonium Hydroxide	Nitric Acid	Sodium Hydroxide
Chromic Acid	Oleum	Sulfuric Acid
Hydrobromic Acid	Perchloric Acid	
Hydrochloric Acid	Phosphoric Acid	

#### DRY CLEANING FILTRATION RESIDUES:

Cooked powder residue (perchloroethylene plants only), still residues and spent cartridge filters containing perchloroethylene or valclene are hazardous and have an EPA Hazardous Waste Number of F002. Still residues containing petroleum solvents with a flash point less than 140°F are also considered hazardous, and have an EPA Hazardous Waste Number of D001.

#### HEAVY METALS/INORGANICS:

Heavy metals and other inorganic waste materials exhibit the characteristic of TCLP Toxicity and are considered hazardous if the extract from a representative sample of the waste has any of the specific constituent concentrations as shown in 6 CCR 1007-3 Section 261.24, Table 1. This may include dusts, solutions, wastewater treatment sludges, paint wastes, waste inks, and other such materials that contain heavy metals/inorganics (note that wastewater treatment sludges from electroplating operations containing nickel and cyanide are identified as F006). The following are TCLP Toxic:

Waste Stream	Waste Code
Arsenic	D004
Barium	D005
Cadmium	D006
Chromium	D007
Lead	D008
Mercury	D009
Selenium	D010
Silver	D011

#### IGNITABLE WASTES:

Ignitable wastes include any flammable liquids, non-liquids, and contained gases that have a flashpoint less than 140°F (for a complete description of ignitable wastes, see 6 CCR 1007-3 Section 261.21, Characteristic of Ignitability). Examples are spent solvents (see also solvents), solvent still bottoms, ignitable paint wastes (paint removers, brush cleaners and stripping agents), epoxy resins and adhesives (epoxies, rubber cements and marine glues), and waste inks containing flammable solvents. Unless otherwise specified, all ignitable wastes have an EPA Hazardous Waste Number of D001. Some commonly used ignitable compounds are:

Waste Stream	Waste Code
Acetone	F003
Benzene	D001
n-Butyl Alcohol	F003
Chlorobenzene	F002
Cyclohexanone	F003
Ethyl Acetate	F003

Ethylbenzene	F003
Ethyl Ether	F003
Ethylene Dichloride	D001
Methanol	F003
Methyl Isobutyl Ketone	F003
Petroleum Distillates	D001
Xylene	F003

#### **INK SLUDGES CONTAINING CHROMIUM AND LEAD:**

This includes solvent washes and sludges, caustic washes and sludges, or water washes and sludges from cleaning tubs and equipment used in the formulation of ink from pigments, driers, soaps, and stabilizers containing chromium and lead. All ink sludges have an EPA Hazardous Waste Number of K086.

#### **LEAD ACID BATTERIES:**

Used lead acid batteries should be reported on the notification form only if they are not recycled. Used lead acid batteries that are recycled do not need to be counted in determining the quantity of waste that you generate per month, nor do they require a hazardous waste manifest when shipped off your premises. (Note: Special requirements do apply if you recycle your batteries on your own premises -- see 6 CCR 1007-3 Section 267.80.)

<b>Waste Stream</b>	<b>Waste Code</b>
Lead Dross	D008
Spent Acids	D002
Lead Acid Batteries	D008, D002

#### **ORGANIC WASTES:**

See 6 CCR 1007-3 Section 261.24, Table 1 - Maximum Concentration of Contaminants for the Toxicity Characteristic, for a list of constituents and regulatory levels.

#### **PESTICIDES:**

Pesticides, pesticide residues, washing and rinsing solutions and dips that contain constituent concentrations at or above Toxicity Characteristic regulatory levels (see 40 CFR 261.24) are hazardous waste. Pesticides that have an oral LD50 toxicity (rat) < 50 mg/kg, inhalation LC50 toxicity (rat) < 2 mg/L or a dermal LD 50 toxicity (rabbit) < 200 mg/kg, are hazardous materials. The following pesticides would be hazardous waste if they are technical grade, unused and disposed. For a more complete listing, see 40 CFR 261.32-33 for specific listed pesticides, discarded commercial chemical products, and other wastes, wastewaters, sludges, and by-products from pesticide production. (Note that while many of these pesticides are no longer in common use, they are included here for those cases where they may be found in storage.)

<b>Waste Stream</b>	<b>Waste Code</b>
Aldicarb	P070
Aldrin	P004
Amitrole	U011
Arsenic Pentoxide	P011
Arsenic Trioxide	P012
Cacodylic Acid	U136
Carbamic Acid, Methylnitroso-Ethyl Ester	U178
Chlordane	U036
Copper Cyanides	P029
1,2-Dibromo-3-Chloropropane	U066
1,2-Dichloropropane	U083
1,3-Dichloropropene	U084
2,4-Dichlorophenoxy Acetic Acid	U240
DDT	U061
Dieldrin	P037
Dimethoate	P044
Dimethylcarbamoyl Chloride	U097
Dinitrocresol	P047

Dinoseb	P020
Disodium Monomomethane arsonate	D004
Disulfoton	P039
Endosulfan	P050
Endrin	P051
Ethylmercuric Chloride	D009
Famphur	P097
Nephachlor	P059
Hexachlorobenzene	U127
Kepone	U142
Lindane	U129
2-Methoxy Mercuric Chloride	D009
Methoxychlor	D014
Methyl Parathion	P071
Monosodium Methanearsonate	D014
Nicotine	P075
Parathion	P089
Pentachloronitrobenzene	U185
Pentachlorophenol	U242
Phenylmercuric Acetate	D009
Phorate	P094
Strychnine	P108
2,4,5-Trichlorophenoxy Acetic Acid	U232
2-(2,4,5-Trichlorophenoxy)-Propionic Acid	U233
Thallium Sulfate	P115
Thiram	U244
Toxaphene	P123
Warfarin	U248

## SOLVENTS:

Spent solvents, solvent still bottoms or mixtures containing solvents are often hazardous. This includes solvents used in degreasing and paintbrush cleaning, and distillation residues from reclamation. The following are some commonly used hazardous solvents (see also Ignitable Wastes for other hazardous solvents, and 40 CFR 261.31 for most listed hazardous waste solvents):

Waste Stream	Waste Code
Benzene	D001
Carbon Disulfide	F005
Carbon Tetrachloride	F001
Chlorobenzene	F002
Cresols	F004
Cresylic Acid	F004
O-Dichlorobenzene	F002
Ethanol	D001
Ethylene Dichloride	D001
Isobutanol	F005
Isopropanol	D001
Kerosene	D001
Methyl Ethyl Ketone	F005
Methylene Chloride	F001 (Sludges), F002 (Still Bottoms)
Naphtha	D001
Nitrobenzene	F004
Petroleum Solvents (FP less than 140F)	D001
Pyridine	F005
1, 1, 1-Trichloroethane	F001 (Sludges), F002 (Still Bottoms)
Tetrachloroethylene	F001 (Sludges), F002 (Still Bottoms)
Toluene	F005
Trichloroethylene	F001 (Sludges), F002 (Still Bottoms)

Trichlorofluoromethane	F002
Trichlorotrifluoroethane	F002
White Spirits	D001

## REACTIVES:

Reactive wastes include reactive materials or mixtures which are unstable, react violently with or form explosive mixtures with water, generate toxic gases or vapors when mixed with water (or when exposed to pH conditions between 2 and 12.5 in the case of cyanide- or sulfide-bearing wastes), or are capable of detonation or explosive reaction when irritated or heated (for a complete description of reactive wastes, see 40 CFR 261.23, Characteristic of Reactivity). Unless otherwise specified, all reactive wastes have an EPA Hazardous Waste Number of D003. The following materials are commonly considered to be reactive:

Waste Stream	Waste Code
Acetyl Chloride	D003
Chromic Acid	D003
Cyanides	D003
Organic Peroxides	D003
Perchlorates	D003
Permanganates	D003
Hypochlorites	D003
Sulfides	D003

## SPENT PLATING AND CYANIDE WASTES:

Spent plating wastes contain cleaning solutions and plating solutions with caustics, solvents, heavy metals and cyanides. Cyanide wastes may also be generated from heat treatment operations, pigment production and manufacturing of anti-caking agents. Plating wastes are generally Hazardous Waste Numbers F006-F009. Heat treatment wastes are generally Hazardous Waste Numbers F010-F012. See 40 CFR 261.31 for a more complete description of plating wastes.

## WOOD PRESERVING AGENTS:

Compounds or mixtures used in wood preserving, including the wastewater treatment sludge from wastewater treatment operations, are considered hazardous wastes. Bottom sediment sludges from the treatment of wastewater from wood preserving processes that use creosote or pentachlorophenol are hazardous, and have an EPA Hazardous Waste Number of K001. In addition, wastewaters, process residuals, preservative drippage, and spent formulations from certain wood preserving processes are also hazardous wastes and carry EPA Hazardous Waste Numbers F032, F034 or F035, depending on the contaminants they contain. Unless otherwise indicated, specific wood preserving components are as follows:

Waste Stream	Waste Code
Chromated Copper Arsenate	D004
Creosote	K001
Pentachlorophenol	K001